

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
CHARLESTON DIVISION**

IN RE: AQUEOUS FILM-FORMING  
FOAMS PRODUCTS LIABILITY  
LITIGATION

MDL No. 2:18-mn-2873-RMG

**This Document relates to  
ALL CASES**

**PLAINTIFFS' AND TURNOUT GEAR DEFENDANTS' JOINT MOTION FOR  
EXTENSION OF TIME TO MEET AND CONFER**

Pursuant to Local Civil Rule 6.01, the Plaintiff Executive Committee (the “PEC”) and Turnout Gear (“TOG”) Defendants<sup>1</sup> respectfully move for a 30-day extension of time related to the deadlines set forth in the Court’s order of June 29, 2023, related to the PEC’s motion to compel regarding discovery of various TOG Defendants (the “Order”). (Dkt. 3362.) This motion is based on the following grounds:

1. The Order directed Plaintiffs and TOG Defendants, within 60 days of the Order (*i.e.*, August 28, 2023), to (i) “meet and confer in good faith and submit for the Court’s consideration, . . . a TOG-specific PFS and proposed Case Management Order” (*id.* at 3 n.1), and (ii) “meet and confer in good faith” related to the TOG Defendants’ scope objections (*id.* at 5). If

<sup>1</sup> The following TOG Defendants participated in the meet-and-confer process with Plaintiffs in response to the Order: Allstar Fire Equipment, Fire-Dex LLC, Globe Manufacturing Company LLC, Honeywell Safety Products USA Inc., Lion Group Inc., Mine Safety Appliances Co. LLC, Municipal Emergency Services Inc., PBI Performance Products Inc., Southern Mills Inc. dba TenCate Protective Fabrics, Stedfast USA Inc., and W. L. Gore & Associates, Inc.

mutual resolution was not reached, then the parties could “move for relief before this Court no more than 14 days after the expiration of this 60-day period.” *Id.*

2. Since receipt of the Order, Plaintiffs and TOG Defendants have held three productive meet-and-confer discussions under the Order to address issues global to the TOG Defendants. For instance, the parties exchanged drafts of core TOG search terms that substantially follow core search terms that have been used by other defendants in this litigation. In addition, the parties have exchanged drafts of a TOG-specific Plaintiff Fact Sheet, accompanying Case Management Order, and a supplemental protective order to address TOG Defendants.

3. The parties have reached agreements on much of the contents of these items and expect to make more progress in our further discussions, all with the aim of narrowing or eliminating further areas of dispute as to the items at issue.

4. Having made progress on more global TOG Defendant issues, the parties also plan to make progress on TOG Defendant-specific issues in subsequent meet-and-confer discussions between Plaintiffs and TOG Defendants who have particularized issues. Those deliberations have started and are continuing.

5. In light of the parties’ progress, and without waiver of any positions by either side, Plaintiffs and the TOG Defendants believe it would be beneficial to have a 30-day extension to September 27, 2023, to further continue our meet-and-confer discussions.

6. If granted, the sequence and deadline provided in the Order for seeking judicial intervention, if any, would remain 14 days after the conclusion of the meet-and-confer period (*i.e.*, October 11, 2023).

7. This deadline has not been previously extended, and the extension, if granted, will not affect any other deadlines.

8. Prior to filing this motion, the TOG Defendants conferred with Co-Lead Counsel for Defendants about the filing of the motion and Co-Lead Counsel consent to the filing of the motion.

Wherefore, the PEC and TOG Defendants respectfully request that the Court extend the time for the parties to meet and confer to September 27, 2023, and the deadline for seeking judicial intervention to remain 14 days after the conclusion of the meet-and-confer period.

Dated: August 28, 2023

Respectfully submitted,

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